

## REMARKS

This Amendment is submitted in response to the Non-Final Office Action dated April 26, 2010.

With respect to the rejection under section 112, first and second paragraphs, the claims have been amended as previously provided as further supported in the specification. As such, Applicants believe that the claims at issue are enabled and further should be understandable by one skilled in the art. Therefore, Applicants believe that the section 112 rejections should be withdrawn.

Further, the claims have been rejected for obviousness reasons in view of US5479382 (Nishida). As embodied by the claimed invention, the underlying layer of the magnetic recording medium is formed on the substrate; a large number of recesses of an extremely small size are uniformly demonstrated on the underlying layer, wherein the underlying layer is formed of tetraethoxysilane as a feedstock; and the underlying layer is a layer which is formed of silicon oxide and a mixture thereof and in which a large number of spherically-shaped voids of the same size are uniformly formed by removing spherically-shaped micelles which are self-arrayed in a face-centered cubic lattice configuration by F68 (E0<sub>77</sub>-P0<sub>29</sub>-E0<sub>77</sub>) or F108 (EO<sub>133</sub>-PO<sub>50</sub>-EO<sub>133</sub>) as a triblock copolymer; and a large number of spherically-shaped voids of the same size which are regularly arrayed in a nano-scale are uniformly demonstrated in a face-centered cubic lattice configuration by using the physical mechanism of the self organization phenomenon.

In addition, the surface of the underlying layer on which the amorphous magnetic film is deposited has been processed so that the recesses by voids are demonstrated uniformly by the voids which are the same size and which are regularly arrayed in a nano-scale, are uniformly demonstrated in a face-centered cubic lattice configuration by using the physical mechanism of the self organization phenomenon as embodied by the claimed invention. Further, the amorphous magnetic films are layered independently from one another on the each recesses demonstrated in the underlying layer to form protuberances which are discrete with respect to one another, and thus, the amorphous magnetic films can be utilized as a patterned media which are formed of a recording mark of extremely small size (nano-scale) as further embodied by the claimed invention. In other words, with respect to the claimed invention, because the underlying layer has a large number of spherically-shaped voids of the same size which are regularly arrayed in a nano-scale, are uniformly demonstrated in a face-centered cubic lattice configuration

by using the physical mechanism of the self organization phenomenon, the surface of the underlying layer on which the amorphous magnetic film is deposited has been processed so that the recesses by voids are demonstrated uniformly.

On the other hand, Nishida (US patent 5,479,382) fails to disclose or suggest the claimed invention. While the disclosed technology of Nishida shows that forming a recording layer continually in the entire surface on the underlying layer, it is not shown that the each recesses form the recesses which are discrete with respect to one another. Therefore, Applicants believe that the claimed invention is distinguished from Nishida, and thus the obviousness rejection should be withdrawn at least in view of same.

For at least the reasons above, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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